

Dallas Fort Worth Professional
Musicians Association
1939 Stadium Oaks Court
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Why We Belong

Messages From Our Members

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The “Union” is *You!*

By Jennifer Garner, Esq.

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Musicians performing in non-union orchestras and other ensembles occasionally have a problem that they would like the Union to solve or have a dispute with an employer in which they want the Union to intervene on their behalf. Sometimes, musicians simply come to the realization that they are not getting the best possible deal, and they wish the Union would negotiate a better bargain for them. There is an expectation on the part of some that the officers of nearest Local, moved by the inequity of the situation, will go directly to the employer and straighten things out. It is a common misperception that “The Union,” like a wizard behind a curtain, can single-handedly force employers to pay more and treat musicians more fairly. But, improving musicians’ lives is what the Union does, after all, so what does it take to activate that power for the benefit of members of a collective group?

The principal barrier to the Union’s ability to help lies in the fact that these ensembles are unorganized. They are “unorganized” in the sense that the musicians working together have not identified any collective priorities and have not designated the Union as their representative for purposes of negotiating with the employer. There is no collective bargaining; rather, each individual musician is left to his or her own devices. The result is typically either a cacophony of scattershot and uncoordinated complaints or a sort of resigned inertia. Neither of these strategies provides the resistance necessary to effectuate any progressive change. The employer will continue along its self-serving path, and the musicians will become more and more frustrated as they are stretched thinner and thinner.

The Union is empowered to act on behalf of a collective group of musicians by the musicians themselves. Without the will of the musicians, the Union will not get involved in workplace disputes. “The Union” will not dictate what the musicians’ needs, wants, goals, and priorities should be. “The Union”

The “Union” is *You!* (cont.)

will not determine what the terms and conditions of employment ought to be. “The Union” will not straighten things out without the concerted activism of the musicians. The musicians are the source of the power that forges change, and it is ultimately up to the musicians to figure out what their needs are and develop a plan of action. The Union can provide valuable resources and advice, but it is merely the agency that advocates for musicians who are already self-determined. There is no wizard behind the curtain. “The Union” really means you.

A very effective way to get an employer to recognize the Union as your bargaining agent is to simply demand it. Collectively tell the employer that if they won’t bargain, you won’t play. This demand is not a demand for substantive contract provisions, nor is it a threat to strike if you don’t get everything you ask for. It is only a demand that the employer bargain in good faith. Having made that demand, the employer **must** negotiate with **your** Union.

The outcome of a negotiation

with the Union is a collective bargaining agreement between the employer and the Union that addresses the needs and priorities identified by the musicians. It is legally enforceable. It obviates the need for musicians to confront their employer directly. If the employer does not fully live up to its bargain with respect to each and every musician, the Union will seek redress on behalf of the entire group that it represents.

Once your band, orchestra, or ensemble gets organized, you will realize the power that you have, with the support of the Union, to achieve and enforce a fair deal. Have a conversation with your colleagues about what could be better in the workplace and what should be better. The Union will back you up, but it is your deal, and you must make it happen.

The Union’s Strength is Worth the Dues

My name is Randy Vradenburg. I am the leader of a group named *The Bottom Line Band*. We are members of the Union, and we are grateful for the Union’s help in collecting money owed us for a Christmas party performed in December.

We played a private party at the Fort Worth Club on December 9 for the Tarrant County Family Law Bar Association – a group of lawyers who do divorce cases. We booked it back in July for a nice fee. The party went fine. The house was packed, the holiday spirit was in full swing, and a good time was had by all – all except for us, that is.

The lawyer who signed the contract came up to us during the break and complimented us on our show. “You folks are great,” he said. He disappeared down the elevator and was nowhere to be found after the gig. We packed up and left without our money.

I called that lawyer several times during the days after the job, trying to get paid. My booking agent called him. Finally, I went to his law office and spoke to him directly about his lack of payment. He shrugged his shoulders and said, “I’d pay you myself but I’m strapped right now because it’s Christmastime.” What a great guy.

Frustrated and concerned about trying to make a bunch of lawyers care about our predicament, I turned to my Union for help. The instant I contacted the Union, they swung into action for us.

Our Union president called the lawyer who signed the contract, advising him that the Union would be representing us

in the collection process. The Union sent a demand letter by certified mail to the lawyer, stating that suit would be filed unless the money was promptly paid. Copies of that letter were sent to other Bar Association lawyers, and to the Union’s attorneys, who were prepared to immediately intervene.

Two weeks later, the Union had collected every dime that was owed to us. It was easy for the Bar Association to blow me off at the gig, on the phone, and even at their office, but they knew they couldn’t blow off the Union. I’m just one guy. The Union is hundreds, or even thousands of musicians. It makes you a believer in that old saying, “*There Is Strength In Unity.*”

The help we received from the Union in this incident was worth all the dues we’ve ever paid. We’re glad to be Union members. We are certainly stronger for it.

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